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Town of Arlington
Redevelopment Board
730 Massachusetts Avenue
Arlington, MA 02476

**Legal Notice
Public Hearing
Zoning Bylaw Amendments**

In accordance with the provisions of the Town of Arlington, Massachusetts Zoning Bylaw and Massachusetts General Laws Chapter 40A, a public hearing will be held by the Arlington Redevelopment Board (ARB) on **Monday, March 1, 2021, Monday, March 15, 2021, Monday, March 29, 2021, and Monday, April 5, 2021**. The ARB will hear public comments on the proposed amendments to the Zoning Bylaw. After receiving public comments, the ARB will make recommendations on the proposed amendments for Annual Town Meeting, which will begin on Monday, April 26, 2021.

The following articles propose changes to the Zoning Bylaw and are the subject the public hearing scheduled for **Monday, March 1, 2021, beginning at 8:00 PM**, via Zoom at <https://town-arlington-ma-us.zoom.us/j/99259100788>, Meeting ID: 992 5910 0788, or by calling (646) 876-9923 Meeting ID 992 5910 0788#

ARTICLE A (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ CLARIFICATION OF DEFINITION OF MIXED USE

To see if the Town will vote to amend the definition of Mixed Use in the Zoning Bylaw to clarify that as enacted by Town Meeting, land uses individually prohibited in any particular zoning district are also prohibited as part of Mixed Use developments in the same zoning district; or take any action related thereto.

(Inserted at the request of Christopher Loreti and 10 registered voters)

ARTICLE B (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/CONVERSION OF COMMERCIAL TO RESIDENTIAL

To see if the Town will vote to amend the Zoning Bylaw in Section 5.2.4, by inserting in the last sentence of said section, after the word footprint, the words "if allowed by special permit" and by inserting, after the words residential use, the words "provided that the addition or expansion is for affordable housing" so that said sentence will read as follows: In the case of an existing commercial use, the addition or expansion of residential use within the building footprint if allowed by special permit shall not require adherence to setback regulations for residential uses, provided that the addition or expansion is for affordable housing, even if the residential use becomes the principal use of the building; or take any action related thereto.

(Inserted at the request of John L. Worden III and 10 registered voters)

ARTICLE C (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ MARIJUANA USES

To see if the Town will vote to amend the Zoning Bylaw to allow Marijuana Delivery-Only Retailers and other amendments for consistency with the state regulations for the adult use of marijuana and the medical use of marijuana by amending SECTION 2 DEFINITIONS, SECTION 5.5.3. USE REGULATIONS FOR

BUSINESS DISTRICTS, SECTION 5.6.3. USE REGULATIONS FOR MU, PUD, I, T, AND OS DISTRICTS, and SECTION 8.3 STANDARDS FOR MARIJUANA USES; or take any action related thereto.
(Inserted at the request of the Redevelopment Board)

ARTICLE D (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ AFFORDABLE HOUSING REQUIREMENTS

To see if the Town will vote to amend the Zoning Bylaw to increase the time during which the affordable housing requirements apply from a two-year period to a three-year period in alignment with G.L. c.40A § 9 by amending SECTION 8.2.2. APPLICABILITY; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE E (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ APARTMENT CONVERSION

To see if the Town will vote to amend the Zoning Bylaw to include a definition of apartment conversion by amending SECTION 2 DEFINITIONS; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE F (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ GROSS FLOOR AREA

To see if the Town will vote to amend the Zoning Bylaw to clarify how landscaped and usable open space is calculated relative to gross floor area by amending SECTION 5.3.22. GROSS FLOOR AREA to add subsection C; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE G (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ PROHIBITED USES

To see if the Town will vote to amend the Zoning Bylaw to indicate that uses without a "Y" or "SP" in the Tables of Uses are prohibited by amending SECTION 5.2.2. PROHIBITED USES to add subsection C; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE H (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ OTHER DISTRICTS DIMENSIONAL AND DENSITY REGULATIONS

To see if the Town will vote to amend the Zoning Bylaw to include the legend for tables by amending SECTION 5.6.2. DIMENSIONAL AND DENSITY REGULATIONS; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE I (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ ADMINISTRATIVE AMENDMENTS

To see if the Town will vote to amend the Zoning Bylaw to make the following administrative corrections;

1. Correcting references to Board of Selectmen in subparagraph B of SECTION 3.1.4. PENALTY and in Section 3.2.1. ESTABLISHMENT;
2. Removing gendered terms in subparagraph A of SECTION 3.2.3. RULES AND REGULATIONS and subparagraph D of SECTION 6.2.7. NONCONFORMING SIGNS;
3. Correcting reference to August, 1975 in subparagraphs C and D in SECTION 5.4.2. DIMENSIONAL AND DENSITY REQUIREMENTS;
4. Correcting reference to Section 7 in SECTION 3.3.4.A SPECIAL PERMIT CONDITIONS; and
5. Correcting reference to seven feet three inches in subsection A(1) in SECTION 5.3.22. APPLICABILITY;

or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

The following articles propose changes to the Zoning Bylaw and are the subject the public hearing scheduled for **Monday, March 15, 2021, beginning at 7:00 PM** via Zoom at

<https://town-arlington-ma-us.zoom.us/j/97244125035>, Meeting ID: 972 4412 5035, or by calling (646) 876-9923, Meeting ID 97244125035#

ARTICLE J (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/DEFINITION OF FOUNDATION

To see if the Town will vote to amend the Zoning Bylaw in Section 2, by adding a new definition as follows: Building Foundation: The masonry or concrete structure in the ground which supports the building. It does not include porches, decks, sheds, patios, one story attached garages, carports, or the like; or take any action related thereto.

(Inserted at the request of Patricia B. Worden and 10 registered voters)

ARTICLE K (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ ENERGY EFFICIENT HOMES ON NONCONFORMING LOTS

To see if the Town will vote to amend the Zoning Bylaw to allow new construction of energy efficient foundations and homes on nonconforming lots in the R0, R1, and R2 Districts that meet certain energy efficiency industry standards; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE L (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ TO INCREASE THE PERCENTAGE OF AFFORDABLE HOUSING UNITS

To see if the Town will vote to amend Section 8.2.3A of the Zoning Bylaw to increase the percentage of affordable housing units required in any development subject to Section 8.2 of the Zoning Bylaw from 15% to a percentage between 25 and 30%; or take any action related thereto.

(Inserted at the request of John Sanbonmatsu, Laura Kiesel, and 10 registered voters)

ARTICLE M (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ ARTICLE TO PROPOSE THE ADOPTION OF ACCESSORY DWELLING UNITS (ADUs)

To see if the Town will vote to the purpose of this article is to see if the Town will amend the Zoning Bylaw to allow Accessory Dwelling Units (ADUs) on the property of single family, two-family, and duplex dwellings; or take any action related thereto.

(Inserted at the request of Barbara Thornton and 10 registered voters)

ARTICLE N (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ AFFORDABLE HOUSING ON PRIVATELY OWNED PARCELS OF "NON-CONFORMING" SIZE

To see if the Town will vote to allow the development of new sources of permanently affordable housing (affordable in perpetuity and affordability as defined in Arlington Zoning By-Laws) by modifying the requirements for constructing housing units to enable construction on smaller lots as long as those units are permanently committed to be available for rental or ownership according to official regional guidelines (see (Zoning Bylaw Section 2, Basic Provisions, Definitions Associated with Affordable Housing) of affordability.

Such construction would be permissible in all zoning districts allowing residential use, providing the tracts were laid out prior to July 1, 2019, and receive a special permit from the ZBA. Ownership, sale, repurchase and rentals of each property would be overseen by the Arlington Housing Trust Fund or a

comparable entity that would have the authority to enforce the affordability guidelines in perpetuity; or take any action related thereto.

(Inserted at the request of Barbara Thornton and 10 registered voters)

The following article proposes changes to the Zoning Bylaw and is the subject the public hearing scheduled for Monday, March 29, 2021 beginning at 7:00 PM, via Zoom at

<https://town-arlington-ma-us.zoom.us/j/95703909984> , Meeting ID: 957 0390 9984, or by calling (646) 876-9923, Meeting ID 95703909984#

ARTICLE O (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ MULTIFAMILY ZONING FOR MBTA COMMUNITIES

To see if the Town will vote to amend the Zoning Bylaw to comply with M.G.L. c. 40A to allow multifamily housing to be permitted as of right with a minimum gross density of 15 units per acre without age restrictions and suitable for families with children in the districts within one half-mile from the Alewife MBTA Station by amending SECTION 2 DEFINITIONS, SECTION 3 ADMINISTRATION AND ENFORCEMENT, SECTION 4 ESTABLISHMENT OF DISTRICTS, SECTION 5 DISTRICT REGULATIONS, SECTION 6 SITE DEVELOPMENT STANDARDS, and SECTION 8 SPECIAL REGULATIONS; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE P (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ TEARDOWN MORATORIUM

To see if the Town will vote to amend the Zoning Bylaw by adding to Section 8 a new provision substantially as follows: there is hereby established a temporary moratorium on the demolition, in whole or in part, of older small affordable houses, for a period of two years from the date of final adjournment of this Town Meeting, or when the Town establishes a method of protecting such houses in order to promote the Town's goals of economic diversity and affordability, whichever first occurs. For Purposes of this provision, the term "older small affordable houses" shall mean houses built before 1950 with a footprint of less than 1,000 square feet; or take any action related thereto.

(Inserted at the request of Lynette Culverhouse and 10 registered voters)

ARTICLE Q (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ SIDEYARD SKY EXPOSURE PLANES

To see if the Town will vote to or take any action related thereto: To amend Section 5.3 of the Zoning Bylaw by inserting, at the end thereof, a new sub-section 5.3.23 which describes the Purpose & Intent, Applicability, Definitions, Standards by District, Dimensional and Density Regulations and Exceptions for Sideyard Sky Exposure Planes to accommodate new construction while protecting public health, safety and welfare in Residential Zoning Districts.

(Inserted at the request of Ted Fields and 10 registered voters)

ARTICLE R (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ PARKING MINIMUMS

To see if the Town will vote to amend the Zoning Bylaw for the Town of Arlington to reduce or remove minimum vehicular parking requirements in some or all business zoning districts; or take any action related thereto.

(Inserted at the request of James Fleming and 10 registered voters)

ARTICLE S (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ ESTABLISHING REQUIREMENTS FOR OFF-STREET HP (HANDICAP PLACARD) PARKING

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To see if the Town will vote to amend the Arlington Zoning Bylaws, Section 6.1.5. ("Parking Reduction in Business, Industrial, and Multi-Family Residential Zones") to establish a minimum HP parking space criteria based on pre-reduction parking requirements; or to take any action related thereto.
(Inserted by the Select Board at the request of the Disability Commission)

ARTICLE T (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ ADA/MAAB STANDARDS IN ADMINISTRATION AND ENFORCEMENT

To see if the Town will vote to or take any action related thereto: To see if the town will vote to amend the Arlington Zoning Bylaws, Section 3.1 ("Administration and Enforcement") to add a new clause inserting additional language asserting that all permits, including Special Permits, are conditioned upon compliance with all applicable Massachusetts Architectural Access Board and Americans with Disabilities Acts standards for accessibility, or take any action related thereto.

(Inserted by the Select Board at the request of the Disability Commission)

The following article proposes changes to the Zoning Bylaw and is the subject the public hearing scheduled for **Monday, April 5, 2021 beginning at 8:00 PM**, via Zoom at <https://town-arlington-ma-us.zoom.us/j/96082543721>, Meeting ID: 960 8254 3721, or by calling (646) 876-9923, Meeting ID 96082543721#

ARTICLE U (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ INDUSTRIAL USES

To see if the Town will vote to amend the Zoning Bylaw to update and modernize the Industrial Zoning Districts by amending SECTION 2 DEFINITIONS to define new uses; SECTION 5 DISTRICT REGULATIONS to clarify the applicability of the upper story building step back, to redefine the Industrial Zoning District, to clarify amenity requirements in the Table of Maximum Height and Floor Area Ratio and to add development standards, to include new uses and amend existing uses in the Table of Uses, and to provide additional standards for uses; and SECTION 6 SITE DEVELOPMENT STANDARDS to adjust the parking requirement for light manufacturing, to include standards for the Industrial Zoning Districts, to include standards for the Industrial Zoning Districts; and to adjust the bicycle parking standards for light manufacturing and office, medical or clinic uses; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE V (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ DATE OF ZONING MAP

To see if the Town will vote to amend the Zoning Bylaw to update the date of the Zoning Map of the Town of Arlington, Massachusetts, to November 16, 2020; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

The draft language of the proposed amendments to the Zoning Bylaw is available on Thursday, February 11, 2021 may be viewed and downloaded from the Redevelopment Board webpage of the Town's website at www.arlingtonma.gov.

Rachel Zsembery, Chair
Arlington Redevelopment Board

AA 2/11/21, 2/18/21